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*Attorneys for Defendant State of California*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

**SOKCHEATH HIN,**

Plaintiff,

**v.**

**U.S. DEPARTMENT OF JUSTICE  
UNITED STATES MARSHALS SERVICE,  
et al.,**

Defendants.

No. 2:21-cv-0393 TLN-JDP

**STIPULATION AND ORDER FOR  
THIRTY-DAY EXTENSION FOR  
DEFENDANT STATE OF CALIFORNIA  
TO RESPOND TO THE COMPLAINT**

Action Removed: March 3, 2021

Under Federal Rules of Civil Procedure 6(b) and Local Rules 143 and 144(a), Plaintiff and Defendant State of California (State), by and through their respective attorneys of record, stipulate to a thirty-day extension for the State to file its response to the complaint. The State's response is currently due on March 10, 2021 as required under Federal Rule of Civil Procedure 81(c)(2)(C). Good cause exists to the grant this stipulated request because the parties are meeting and conferring concerning the State's perceived deficiencies in the complaint that may obviate the need for a motion under Rule 12(b)(6) and may result in an amended pleading.

1 When an act must be done within a specified time, the court may, for good cause, extend  
2 the time with or without motion or notice if the court acts, or if a request is made, before the  
3 original time expires. Fed. R. Civ. P. 6(b)(1)(A). A defendant who did not answer before removal  
4 must respond to the complaint within seven days after the notice of removal is filed. Fed. R. Civ.  
5 P. 8(c)(2)(C).

6 The State was served with the summons and complaint on February 4, 2021. (*See* Proof of  
7 Service of Summons, ECF No. 1-2 at 4.) Its response to the complaint was due on March 8, 2021,  
8 as required under California law. However, on March 3, 2021, Defendant City of Stockton  
9 removed the action to this Court before the State responded to the complaint. (ECF No. No. 1.)  
10 The State's responsive pleading is now due on March 10.

11 Before this action was removed, counsel for the State was meeting and conferring with  
12 Plaintiff's attorney concerning the State's perceived deficiencies in the complaint before filing a  
13 demurrer. On March 2, the State's attorney provided opposing counsel with a detailed outline,  
14 including authorities, of the perceived deficiencies. Although Plaintiff's counsel agrees that  
15 amendment of the complaint may be warranted, he requires more time to consider the points  
16 raised in defense counsel's meet-and-confer correspondence. Also, the State requires more time  
17 to prepare its response to the complaint if the parties are unable to reach agreement over the

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proper course of action. Thus, good cause exists to grant this stipulated request because it will give the parties an opportunity to fully meet and confer about the adequacy of the pleading, file an amended complaint if warranted, and avoid burdening the Court with a dismissal motion.

IT IS SO STIPULATED.

Dated: March 5, 2021

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
PETER A. MESHOT  
Supervising Deputy Attorney General

*/s/ Diana Esquivel*

DIANA ESQUIVEL  
Deputy Attorney General  
*Attorneys for Defendant State of Cal.*

Dated: March 5, 2021

LAW OFFICES OF SHARONA ESLAMBOLY  
HAKIM

*/s/ Narek Postajian* (as authorized 3/5/21)

SHARONA ESLAMBOLY HAKIM  
NAREK POSTAJIAN  
*Attorneys for Plaintiff Sokcheath Hin*

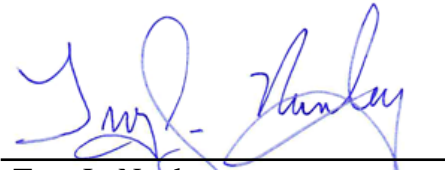
**ORDER**

Good cause appearing and based on the parties' stipulation, the Defendant State of California's request for a thirty-day extension to respond to the complaint is GRANTED.

Defendant State of California shall file its response to the complaint on or before April 9, 2021.

IT IS SO ORDERED.

Dated: March 8, 2021

  
Troy L. Nunley  
United States District Judge